



# PUBLIC NOTICE

Federal Communications Commission  
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DA 10-624  
Released: April 12, 2010

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF ARIES NETWORK, INC. TO NOBELTEL, LLC

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-85

**Comments Due: April 26, 2010**  
**Reply Comments Due: May 3, 2010**

On April 2, 2010, NobelTel, LLC (NobelTel) and Aries Network, Inc. (Aries) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Aries from its current owner, Kulait Khalaf, to NobelTel.<sup>1</sup> Applicants closed this transaction without approval on April 5, 2010.<sup>2</sup>

Aries, a Nevada corporation, provides competitive local exchange and long distance services, including pre-paid services, in California and wholesale telecommunications services nationwide. Prior to the closing, Ms. Khalaf, a U.S. citizen, owned 100 percent of the stock of Aries. NobelTel, a Delaware limited liability company, provides long distance services, including pre-paid services, in the District of Columbia and in all states, except Alaska. NobelTel is wholly owned by Nobel, Inc., a Delaware corporation and wholly owned subsidiary of Nobel Holding, Inc., also a Delaware corporation. Richard Mahfouz, a U.S. citizen, owns 100 percent of Nobel Holding, Inc. Applicants state that NobelTel has no affiliates that offer telecommunications services. Pursuant to the terms of the transaction, NobelTel acquired 100 percent of the capital stock of Aries, and Aries is now ultimately owned and controlled by Mr. Mahfouz. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>3</sup>

<sup>1</sup> 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> On April 2, 2010, Applicants filed a request for special temporary authority (STA) to close the transaction on or about April 5, 2010 due to "concerns about the preservation of assets and the continued availability of suitable financing." On April 9, 2010, Applicants filed an amendment stating that they closed the transaction on April 5, 2010 prior to obtaining a grant of the STA. To avoid a disruption of service for customers, the Wireline Competition Bureau granted the STA on April 12, 2010. Letter from Joan M. Griffin, Counsel for NobelTel, to Marlene Dortch, Secretary, FCC, WC Docket No. 10-85 (filed Apr. 9, 2010). Any action on this domestic section 214 application does not preclude or prejudice enforcement action related to an unauthorized transfer of control.

<sup>3</sup> 47 C.F.R. § 63.03(b)(2)(i).

## **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of certain assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before April 26, 2010**, and reply comments **on or before May 3, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31<sup>st</sup> day after the date of this notice.<sup>4</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov) and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

### **In addition, e-mail one copy of each pleading to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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<sup>4</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

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For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Jodie May at (202) 418-0913.

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